

## 2005 DRAFTING REQUEST

### Bill

Received: 01/13/2005

Received By: rnelson2

Wanted: As time permits

Identical to LRB:

For: Joseph Leibham (608) 266-2056

By/Representing: Mike

This file may be shown to any legislator: NO

Drafter: rnelson2

May Contact:

Addl. Drafters:

Subject: Nat. Res. - fish and game

Extra Copies:

Submit via email: YES

Requester's email: Sen.Leibham@legis.state.wi.us

Carbon copy (CC:) to:

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### Pre Topic:

No specific pre topic given

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### Topic:

Wearing blaze orange when hunting certain animals at night during deer hunting season

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### Instructions:

See Attached

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### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rnelson2 01/20/2005	lkunkel 02/05/2005		_____			
/1			pgreensl 02/07/2005	_____	sbasford 02/07/2005	lnorthro 02/07/2005	

FE Sent For:

<END>

→ Not Needed

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/?	rnelson2	/l mk 2/5	2/7 ps	2/7 sua			

FE Sent For:

<END>

**Nelson, Robert P.**

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**From:** Gibson-Glass, Mary  
**Sent:** Wednesday, January 12, 2005 11:32 AM  
**To:** Nelson, Robert P.  
**Subject:** FW: drafting request

Bob, could you do this one? Thanks so much Mary

-----Original Message-----

**From:** Bruhn, Mike  
**Sent:** Wednesday, January 12, 2005 8:53 AM  
**To:** Gibson-Glass, Mary  
**Subject:** drafting request

Mary,

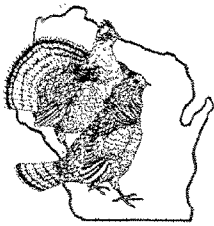
Representative Gunderson would like legislation drafted, which would eliminate the current requirement that individuals hunting for raccoon, coyote, and other authorized species at night at times authorized by the DNR during a firearm season for deer, have to wear blaze orange. The area of statutes we'd like changed is 29.301 (2). I am including a copy of a letter from the Wisconsin Wildlife Federation, which also gives a little background on this issue. Also, when this bill is completed and jacketed, Sen. Leibham would like a companion bill for the Senate. If you have any questions, please feel free to contact me at 266-3363.

Thanks,

Michael Bruhn  
Rep. Gunderson's office



Scan001.PDF



# Wisconsin Wildlife Federation

720 ST. CROIX ST., SUITE 101, PRESCOTT, WI 54021 • (715) 262-9279 • 1-800-897-4161

*AFFILIATED WITH NATIONAL WILDLIFE FEDERATION*

December 30, 2004

Senator Joe Leibham  
Room 409 South  
State Capitol  
P.O. Box 7882  
Madison, WI  
53707-7882

Representative Scott Gunderson  
Room 7 West  
State Capitol  
P.O. Box 8953  
Madison, Wisconsin, 53708

Dear Senator Leibham and Representative Gunderson:

Thank you for expressing an interest in introducing legislation eliminating the current requirement that individuals hunting for raccoon, coyote and other authorized species at night at times authorized by DNR during a firearm season for deer, have to wear blaze orange.

Once again, just a bit of background. In the past the state only had a nine-day gun deer season. Eventually because of the high deer population, other permanent gun deer seasons were established. During the standard nine-day gun deer season starting the Saturday before Thanksgiving, night hunting for raccoons and other species was and still is prohibited. When the other extended gun deer seasons were created however it was agreed that there would not be a prohibition for hunting other species at night during those seasons so as not to adversely affect the opportunity to hunt for those species.

The problem arose however, because, pursuant to section 29.301 (2), Wis. Stats., any hunter hunting during a gun deer season, except for a waterfowl hunter, must wear blaze orange. Obviously blaze orange does not work at night and never has been used during the night hunting of raccoon, coyote and other authorized species. This was never an issue when there was just the traditional nine-day gun deer season since other night forms of hunting were prohibited. However now the law requires the wearing of blaze orange at night for these types of hunting during the extended gun deer seasons. Everyone that we have talked to including the DNR and the Natural Resources Board understands the lack of need for this requirement. To be candid, most raccoon, coyote and other authorized hunters hunting at night during these seasons probably do not even realize that they are

violating the law by not wearing blaze orange at night. Several organizations including the Manitowoc County Fish and Game Protection Association and the Wisconsin Coon Hunters Association have asked that this meaningless requirement be removed from the books thereby removing their members from the potential of being cited for a violation. As I indicated, DNR agrees with this change and has been directed by the Natural Resources Board to support such a change.

I have attached a copy of current section 29.301 (2) with an added sentence, which solves the problem.

Thank you for agreeing to take the leadership in addressing this issue.

Very truly yours,

A handwritten signature in cursive script that reads "George".

George E. Meyer  
Executive Director

29.301(2)



**(2) Color of clothing.** In the areas in which there is a season for the hunting of deer with firearms, no person may hunt any game except waterfowl during that season unless at least 50% of each article of the person's outer clothing above the waist, including a cap, hat or other head covering, is of a highly visible color commonly referred to as hunter orange, blaze orange, fluorescent orange, flame orange or fluorescent blaze orange. Any person violating this subsection shall forfeit not more than \$10. **This requirement does not apply to persons hunting at night during firearm deer seasons for other game species authorized by the Department to be hunted during such seasons.**



*Other*  
State of Wisconsin  
2005 - 2006 LEGISLATURE

2  
LRB-1691/1

RPN: *ink*

## 2005 BILL

*GenCat*  
1 AN ACT ...; relating to: the color of clothing worn during *a* firearm deer hunting  
2 season. ✓

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*percent*  
**Analysis by the Legislative Reference Bureau**

Currently, if a person wants to hunt for game other than waterfowl or deer during a season for hunting of deer with firearms, at least 50% of each article of the person's outer clothing above the waist must be of a highly visible color commonly referred to as hunter orange or blaze orange.

This bill removes that requirement for hunters who are hunting at night for other game *which* that they are authorized to hunt for during a firearm deer hunting season.

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**The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:**

*X*  
3 SECTION 1. 29.301 (2) of the statutes is amended to read:

4 29.301 (2) COLOR OF CLOTHING. In the areas in which there is a season for the  
5 hunting of deer with firearms, no person may hunt any game except waterfowl  
6 during that season unless at least 50% of each article of the person's outer clothing  
7 above the waist, including a cap, hat or other head covering, is of a highly visible color

**BILL****SECTION 1**

1 commonly referred to as hunter orange, blaze orange, fluorescent orange, flame  
2 orange or fluorescent blaze orange. This requirement does not apply to persons  
3 hunting at night during a firearm deer hunting season if the person is hunting for  
4 other game that the department authorizes to be hunted during that firearm deer  
5 hunting season. Any person violating this subsection shall forfeit not more than \$10.

History: 1975 c. 360, 365, 421; 1979 c. 39; 1997 a. 151; 1997 a. 248 s. 412; Stats. 1997 s. 29.301; 1999 a. 32.

(END)

**Northrop, Lori**

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**From:** Schutt, Eric  
**Sent:** Monday, February 07, 2005 11:23 AM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB 05-1692/1 Topic: Wearing blaze orange when hunting certain animals at night during deer hunting season

It has been requested by <Schutt, Eric> that the following draft be jacketed for the SENATE:

Draft review: LRB 05-1692/1 Topic: Wearing blaze orange when hunting certain animals at night during deer hunting season